

# EXHIBIT A

**John S. Spadaro**

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**From:** "John S. Spadaro" <jspadaro@msllaw.com>  
**To:** <jsemple@morrisjames.com>  
**Cc:** <ccheyney@swartzcampbell.com>; <nskiles@swartzcampbell.com>; <jmarino@fowlerwhite.com>  
**Sent:** Thursday, January 26, 2006 1:38 PM  
**Attach:** Eames- Plaintiffs' Ntc. of Deposition of Nationwide.pdf; Eames- Defendant's Responses and Objections.pdf  
**Subject:** Eames v. Nationwide; dispute surrounding 30(b)(6) deposition

Master Sample:

I'm writing in the hope of bringing about a streamlined and expedited procedure for resolving the parties' latest dispute. I hope that, under the circumstances, this e-mail submission is acceptable.

Earlier this month I advised Mr. Cheyney that the Eames plaintiffs wish to depose Nationwide under Rule 30(b)(6), and as part of the class certification discovery phase. In order to allow Nationwide to identify its designees and address scheduling of the deposition, I provided Mr. Cheyney with our draft specification of matters for examination. Nationwide has since confirmed the availability of its designees for Thursday, February 16, 2006. Nationwide has also filed objections to our deposition notice, objecting to six of the thirteen categories in our specification of subject matters. (Nationwide filed its objections based on the draft specification of subject matters that I had provided to Mr. Cheyney as a courtesy. Our final deposition notice, identical in all respects to the draft, had not yet been filed at the time Nationwide filed its objections. This explains why Nationwide's objections are actually dated three days earlier than the deposition notice to which they object.)

Our hope is that the dispute surrounding the affected subject matters can be resolved in advance of February 16, so that the deposition need not be postponed. Toward that end, we propose that the Eames plaintiffs file a letter application of no more than four pages by Monday, January 30; that Nationwide respond with a four-page letter by Wednesday, February 1; and that the Eames plaintiffs' respond with a two-page letter reply by Friday, February 3. Hopefully Your Honor will feel comfortable deciding the issues on the papers; but if not, a hearing might be arranged during the week of February 6.

We think this proposal is reasonable and workable, though we recognize there may be other ways to frame the dispute for timely resolution. In any event, we will await word from Your Honor on how to proceed. Respectfully,  
John S. Spadaro

----- Original Message -----

**From:** Susan Robinson  
**To:** John Spadaro  
**Sent:** Thursday, January 26, 2006 12:33 PM  
**Subject:** Eames v. Nationwide; pdf requests

John:

See attached.

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